

AMENDED IN ASSEMBLY MARCH 28, 2003
AMENDED IN ASSEMBLY JANUARY 23, 2003
CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 8

Introduced by Assembly Members Daucher and Bogh
(Coauthors: Assembly Members Benoit, Dutton, Garcia, and
Haynes, and Spitzer)
~~(Coauthor: Senator~~ *Coauthors: Senators Ducheny and*
Hollingsworth)

December 2, 2002

An act to add and repeal Article 3.8 (commencing with Section 52055.70) ~~to~~ of Chapter 6.1 of Part 28 of the Education Code, relating to ~~Riverside County Office of Education~~ *county offices of education*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 8, as amended, Daucher. ~~Riverside County: pilot program~~
Local Education and Accountability Pilot Program.

(1) Existing law establishes various school improvement programs to ~~increase~~ *improve* pupil performance in elementary, middle, and high schools.

This bill would require the Superintendent of Public Instruction to establish a 3-year pilot program entitled the “~~County Achievement Team~~ *Local Education and Accountability Pilot Program*” to be administered by the ~~Riverside County Office of Education~~ *State Department of Education*. The bill would require the Superintendent of Public Instruction to ~~direct the Riverside Office of Education to~~

~~convene an achievement team with members chosen from specified fields for the purpose of auditing participating schools in Riverside County. The bill would require each achievement team to collaborate with its participating school to develop an action plan to increase school performance.~~ *select 3 county offices of education to voluntarily participate in the pilot program. The bill would require each of those county offices of education to invite low-performing schools, as specified, to participate in an intervention program provided by the county office of education.*

The bill would require the ~~Riverside County~~ Superintendent of ~~Schools~~ *Public Instruction* to conduct an evaluation of the pilot program and to submit a report to the ~~State Department of Education, the Legislature, and the Governor~~ by January 1, 2008.

~~Because this bill would impose new duties on the Riverside County Superintendent of Schools, it would impose a state-mandated local program.~~

The bill would repeal these provisions on January 1, 2009, unless a later enacted statute that is enacted before January 1, 2009, deletes or extends that date.

(2) The bill would declare the Legislature's intent to annually appropriate *a specified amount per pupil served by the pilot program as a loan to the Riverside County Office of Education* ~~each participating county office of education~~ for the establishment and implementation of the pilot program, and would provide for the forgiveness of that loan if there is an improvement in school performance, as specified.

(3) ~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~(4) This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

1 (a) *There is a need to expand assistance to, and support for,*
2 *low-performing schools at the local and regional level.*

3 (b) *County offices of education are in a unique position to work*
4 *with school districts and provide them with additional resources in*
5 *a coordinated, comprehensive, and systematic manner at the local*
6 *level.*

7 (c) *The primary goal of county offices of education is to*
8 *promote improved pupil achievement and to work collaboratively*
9 *with school districts to achieve this goal.*

10 (d) *County offices of education should be encouraged to fully*
11 *develop the infrastructure and resources that support schools and*
12 *school districts to improve pupil achievement, thus increasing*
13 *county office of education capacity to provide intensive and*
14 *targeted assistance to school districts requesting assistance.*

15 SEC. 2. Article 3.8 (commencing with Section 52055.70) is
16 added to Chapter 6.1 of Part 28 of the Education Code, to read:

17
18 ~~Article 3.8. County Achievement Team Pilot Program~~

19
20 ~~52055.70. The Superintendent of Public Instruction shall~~
21 ~~establish a three-year pilot program entitled the “County~~
22 ~~Achievement Team Pilot Program” to be implemented~~
23 ~~commencing with the 2003–04 school year. The goal of the~~
24 ~~program is to increase pupil achievement in low-performing~~
25 ~~elementary, middle, and high schools located in Riverside County~~
26 ~~through the use of standards-based curriculum, materials and~~
27 ~~professional development. The program is further intended to~~
28

29 *Article 3.8. Local Education and Accountability Pilot*
30 *Program*

31
32 *52055.70. There is hereby established a three-year pilot*
33 *program entitled the “Local Education and Accountability Pilot*
34 *Program” to be implemented and administered by the State*
35 *Department of Education commencing with the 2003–04 school*
36 *year. The goal of the Local Education and Accountability Pilot*
37 *Program is to increase school Academic Performance Index*
38 *scores by providing county office of education assistance to*
39 *low-performing schools through less per-student per-pupil*
40 *funding than provided by the Immediate*

1 Intervention/Underperforming Schools Program described in
2 *established pursuant to Section 52053.*

3 ~~52055.71. (a) To implement the County Achievement Team~~
4 ~~Pilot Program established pursuant to Section 52055.70, the~~
5 ~~Superintendent of Public Instruction shall direct the Riverside~~
6 ~~County Office of Education to convene an achievement team~~
7 ~~consisting of members selected from the following fields:~~

8 ~~(1) Reading.~~

9 ~~(2) Language arts.~~

10 ~~(3) Mathematics.~~

11 ~~(4) Science.~~

12 ~~(5) Social studies.~~

13 ~~(6) English.~~

14 ~~(7) Bilingual language development.~~

15 ~~(8) School assessment.~~

16 ~~(9) School leadership.~~

17 ~~(b) Each achievement team established pursuant to this section~~
18 ~~shall prepare an audit report for its assigned school participating~~
19 ~~in the County Achievement Team Pilot Program. In preparing the~~
20 ~~audit report, the achievement team shall analyze specified criteria,~~
21 ~~including, but not limited to, all of the following:~~

22 ~~(1) Groups of pupils that tend to perform below average.~~

23 ~~(2) Areas of tested curriculum in which pupils tend to perform~~
24 ~~below average.~~

25 ~~(3) Classroom instructional practices.~~

26 ~~(4) Research-based practices in the school.~~

27 ~~(5) State standards-based materials matched to state~~
28 ~~curriculum.~~

29 ~~(6) Standards-based programs that would serve a pupil~~
30 ~~performing below his or her grade level.~~

31 ~~(7) Leadership and management practices that focus the school~~
32 ~~on pupil achievement.~~

33 ~~(c) Each achievement team shall present its observations and~~
34 ~~recommendations to the staff from their assigned school to~~
35 ~~develop action plan goals to increase pupil achievement.~~

36 ~~(d) Each achievement team shall collaborate with its assigned~~
37 ~~school to implement the action plan and monitor its progress, and~~
38 ~~provide resource assistance that shall include, but not be limited~~
39 ~~to, all of the following assistance:~~

1 ~~(1) Standards-based professional training for school leaders~~
2 ~~and teachers.~~

3 ~~(2) Demonstration teaching in the classroom.~~

4 ~~(3) Collaborative planning.~~

5 ~~(4) Intense literacy coaching from exemplary teachers.~~

6 ~~52055.72. The Riverside County Office of Education shall~~
7 ~~select schools to participate in the County Achievement Team~~
8 ~~Pilot Program from those Riverside County schools that ranked in~~
9 ~~the lowest 5 deciles on the Academic Performance Index and did~~
10 ~~not meet their 2002 Academic Performance Index growth targets.~~

11 *52055.73. (a) The Superintendent of Public Instruction shall*
12 *select three county offices of education to voluntarily participate*
13 *in the Local Education and Accountability Pilot Program*
14 *established pursuant to Section 52055.70.*

15 *(b) Each county office of education selected pursuant to this*
16 *section shall invite elementary, middle, and high schools to*
17 *participate in the Local Education and Accountability Pilot*
18 *Program from those schools within the county that ranked in the*
19 *lowest 5 deciles on the Academic Performance Index (API). The*
20 *county office of education shall be required to provide intervention*
21 *assistance to the participating schools for the purpose of*
22 *improving pupil performance at the school.*

23 *52055.75. (a) A school is not eligible to participate in the*
24 *Local Education and Accountability Pilot Program if the school*
25 *is participating in either of the following programs:*

26 *(1) The Immediate Intervention/Underperforming Schools*
27 *Program established pursuant to Section 52053.*

28 *(2) The High Priority Schools Grant Program for Low*
29 *Performing Schools established pursuant to Section 52055.600.*

30 *(b) A school is not eligible to participate in the Local Education*
31 *and Accountability Pilot Program if the school has been assigned*
32 *a school assistance and intervention team pursuant to Section*
33 *52055.51.*

34 *52055.77. (a) It is the intent of the Legislature to annually*
35 *appropriate eighty-five dollars (\$85) per pupil served at the*
36 *elementary and middle school level by the pilot program and one*
37 *hundred five dollars (\$105) per pupil served at the high school*
38 *level by the pilot program as a loan to the Riverside County Office*
39 *of Education each participating county office of education for the*
40 *establishment and implementation of the County Achievement*

~~Team Pilot Program to be established pursuant to this article. Local Education and Accountability Pilot Program. The appropriation made pursuant to this section shall be made from funds available under the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.) and may not exceed two million three hundred thousand dollars (\$2,300,000) annually.~~

~~(b) The Riverside County Office of Education. Each participating county office of education shall reimburse the state loan for each school participating school in the county as specified in subdivision (c) unless, at the end of the third year of the pilot program, the participating school meets either of the following criteria:~~

~~(1) The three year growth of the school's Academic Performance Index exceeds statewide Academic Performance Index growth for the same time period for demographically comparable schools statewide using the 2003 Academic Performance Index as the base year.~~

~~(2) For schools with a specified subject as the focus of the pilot program, growth in that subject area that exceeds the growth in that subject area for demographically comparable schools in Riverside County for the interval of the focus.~~

~~(c) If the Superintendent of Public Instruction determines that a participating school does not meet the growth criteria contained in subdivision (b), the Riverside County Office of Education county office of education with jurisdiction over that school shall reimburse an amount to be determined by the Superintendent of Public Instruction, based on the Academic Performance Index scores of each participating school not to exceed the loan amount specified in subdivision (a), plus interest calculated at a rate equal to the rate earned by moneys in the Pooled Money Investment Account on the date the loan was disbursed to the county office of education. The repayment of the loan shall be made by a reduction by the Superintendent of Public Instruction to the apportionment of state aid as computed pursuant to Section 2558. The Superintendent of Public Instruction, in cooperation with the county office of education, shall determine a repayment schedule of no more than 10 years.~~

~~52055.74. The Riverside County Superintendent of Schools~~

~~52055.79. The Superintendent of Public Instruction shall conduct an evaluation of the pilot program and shall submit the~~

1 findings and recommendations in a report to the State Department
2 of Education, the Legislature, and the Governor by January 1,
3 2008.

4 ~~52055.75.~~

5 52055.81. This article shall remain in effect until January 1,
6 2009, and as of that date is repealed, unless a later enacted statute,
7 that is enacted before January 1, 2009, deletes or extends that date.

8 SEC. 2. ~~No reimbursement is required by this act pursuant to~~
9 ~~Section 6 of Article XIII B of the California Constitution because~~
10 ~~the only costs that may be incurred by a local agency or school~~
11 ~~district are the result of a program for which legislative authority~~
12 ~~was requested by that local agency or school district, within the~~
13 ~~meaning of Section 17556 of the Government Code and Section~~
14 ~~6 of Article XIII B of the California Constitution.~~

15 SEC. 3. This act is an urgency statute necessary for the
16 immediate preservation of the public peace, health, or safety
17 within the meaning of Article IV of the Constitution and shall go
18 into immediate effect. The facts constituting the necessity are:

19 In order to fund ~~low performance~~ *low-performing* schools in a
20 ~~cost-effective~~ *cost-effective* way, at the earliest possible time, it is
21 necessary that this act take effect immediately.

